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HONORABLE RONALD B. LEIGHTON

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## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA

GEORGE PETER BECK, a single man, and SANDRA RADCLIFFE-BECK, a single woman,

Plaintiffs,

v.

SAXON MORTGAGE, INC., a Virginia Corporation and subsidiary of Morgan Stanley, et al.,

Defendants.

No. 3:09-cv-05454 RBL

**ORDER** 

This matter is before the Court on Plaintiffs' Motion and Declaration to Continue Hearing and for Extension of Preliminary Injunction [Dkt. 53] and Defendant Regional Trustee Services Corporation's Motion to Set Aside Default [Dkt. #58].

On May 27, 2010, the Court Ordered Plaintiffs and Defendant Regional to Show Cause why the above-referenced motions should not be denied without prejudice [Dkt. #68]. Plaintiffs and Defendant Regional have responded to the Order to Show Cause [Dkt. ##72, 73].

Defendant requests that the court find good cause and set aside the Order of Default as to Regional [Dkt. #52]. Defendant has shown good cause and setting aside the default would not prejudice Plaintiffs. Defendant Regional Trustee Services Corporation's Motion to Set Aside Default [Dkt. #58] is GRANTED.

Plaintiffs' Motion and Declaration to Continue Hearing and for Extension of Preliminary Injunction [Dkt. #53] is now moot and is therefore DENIED. The STAY is LIFTED, and this case may now proceed on the merits.

## IT IS SO ORDERED.

Dated this 29<sup>th</sup> day of July, 2010.

RONALD B. LEIGHTON

UNITED STATES DISTRICT JUDGE